

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4879 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

MANAV SEVA SANGH

Versus

DIRECTOR OF COTTAGE INDUSTRIES & COOPERATION OF INDUSTRIES

Appearance:

None present for Petitioner

MR ND GOHIL for Respondent

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 18/10/96

ORAL JUDGMENT

Heard learned counsel for the respondent and perused the Special Civil Application. The petitioner, Manav Seva Sangh, filed this petition before this Court and challenged therein the order of the respondent dated 30th August 1986 cancelling the petitioner's name from the list of Government recognised women institutions. The Government of Gujarat, Industries, Mines and Electric Department, by its Resolution No.ICO 1078/4383/5,

Sachivalaya, Gandhinagar, dated 8.3.79, decided to give first preference to the recognised women institutions for purchase of essential articles by the Government and Semi Government State level cooperative societies and Jail etc. It has been resolved under the aforesaid resolution of the Government that these institutions shall receive the articles mentioned in the said resolution only from the women institutions recognised by the State of Gujarat without inviting any kind of tender. List of articles to be supplied is mentioned in the said resolution and the rates of articles were required to be fixed by the Committee of the members mentioned therein. The petitioner-institution was a recognised institution for the aforesaid purpose. Subsequently the aforesaid resolution has been modified and these women institutions were further entrusted with the work of supply of all cereals after necessary cleansing of the same, flour to the Civil Hospital, Ahmedabad. By subsequent orders made from time to time further grocery items were entrusted for the supply to different Government institutions and semi Government institutions by the women organisations. The petitioner has given out the facts in the Special Civil Application that these organisations were given the work of supply of aforesaid grocery items to different Government institutions including Civil Hospital. The respondent, by passing the orders from time to time reduced the work of supply of articles to institutions and lastly the supply of articles was restricted to only two institutions, namely, the Civil Hospital, and Maniben Hospital, Ahmedabad. The petitioner filed the Special Civil Application No. 371 of 1986 for appropriate writ or direction challenging thereunder the reduction of institutions to which supplies of articles were made by the petitioner. In the said Special Civil Application, on 29.4.86, the Court has made order with consent of the counsel for the parties that the respondent No. 1 therein, the Director of Cottage Industries and if he nominates the Joint Director, the Joint Director, shall give a date of appointment to all the women's institutions which are at present supplying materials to the institutions prescribed by the Regulations. The Court further ordered that all these institutions shall submit their respective suggestions in writing and he shall formulate a policy which will ensure equal distributions of supply to all such women's organisations as far as the nature of the commodities and other relevant factors permit. For this exercise, a time bound programme has been fixed by this Court. The report has been submitted to the Court in the previous litigation and only six women institutions were entrusted with the work of supply of articles and the recognition of the petitioner institution was cancelled.

This report has been challenged by the petitioner before this Court in this Special Civil Application.

2. On 29.9.87, this petition was admitted and interim relief, in terms of para-16(B) has been granted. Para-16(B) of the petition reads as under:

"That pending the hearing and final disposal of this petition, the implementation of the order of annexure K be stayed and the respondent be directed to entrust the work of supply of articles to the petitioner institution"

So for all these years, the report annexure 'K' dated 30th August 1986 was not given effect to and the petitioner would have been given work of supply of articles to different establishments. Nobody is present today in the Court on behalf of the petitioner which goes to show that no grievance now survives, otherwise somebody would have been present today to press the Special Civil Application. In view of this fact, this writ petition is dismissed. Rule discharged. Ad-interim relief, if any granted by this Court stands vacated. No order as to costs.

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(sunil)